

attached herewith.

REMARKS

Upon entry of the above amendment, claims 1-12, 14 and 18-37 will be pending in this application. Upon entry of the above amendment, applicant will have added 13 dependent claims. In this regard, applicant submits a check herewith in the amount of \$650.00 (13 x \$50 per dependent claim) to have these claims fully considered. Applicant respectfully submits that the amendment does not introduce new matter within the meaning of 35 U.S.C. §132. Accordingly, entry of the amendment is respectfully requested.

1. Rejection of claim 17 under 35 USC 112, 1st paragraph

The Official Action states that claim 17 is rejected under 35 USC 112, 1st paragraph as failing to comply with the enablement requirement.

Applicant respectfully points out to the Examiner that claim 17 has been canceled without prejudice to or disclaimer of the subject matter contained therein, rendering this rejection moot.

Accordingly, applicant respectfully requests that the Examiner reconsider and withdraw this rejection.

2. Rejection of claims 1-10, 14 and 17-24 under 35 USC 112, 1st

paragraph

The Official Action states that claims 1-10, 14 and 17-24 are rejected under 35 USC 112, 1st paragraph as failing to comply with the enablement requirement. In particular, the Official Action states, in relevant part that:

“...the specification, while being enabling for compounds of formula I, pharmaceutically acceptable salts thereof, does not reasonably provide enablement for hydrates and solvates of the compounds.”

Applicant respectfully traverses this rejection. However, solely to remove the basis for this rejection, applicant has removed any reference to a hydrate, solvate, hydrate of a salt or solvate of a salt of the compounds of formula I in the pending claims. Further, applicant has not submitted any new claims with reference to a hydrate, solvate, hydrate of a salt or solvate of a salt of the compounds of formula I.

Accordingly, the basis of this rejection has been rendered moot and applicant respectfully requests that the Examiner reconsider and withdraw this rejection.

3. Allowable Subject Matter

The Official Action states that claims 11-12 are allowable. Applicant thanks the Examiner for this indication of allowable

subject matter.

Applicant respectfully submits that all present rejections have been overcome and that pending claims 1-12, 14 and 18-37 are also allowable.

CONCLUSION

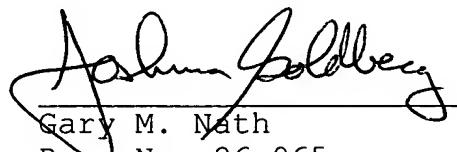
Based upon the above amendment and remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw the pending rejections and allow all pending claims of this application. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned attorney if she has any questions or comments.

Respectfully submitted,

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Date: January 19, 2007



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